

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (1) MINIMUM (SOUTH) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 5 FEET FOR AN EXISTING POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 26.7 FEET FOR AN EXISTING COVERED ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (GERALD SNELL, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 3-28-05 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM (SOUTH) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 5 FEET FOR AN EXISTING POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 26.7 FEET FOR AN EXISTING COVERED ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); OR
2. **DENY** REQUEST FOR (1) MINIMUM (SOUTH) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 5 FEET FOR AN EXISTING POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 26.7 FEET FOR AN EXISTING COVERED ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: GERALD F. SNELL LOCATION: 510 YEW COURT ZONING: R-1A (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> THE APPLICANT CONSTRUCTED A COVERED ADDITION THAT ENCROACHES 3.3 FEET INTO THE MINIMUM REAR YARD SETBACK AND A POOL SCREEN ENCLOSURE THAT ENCROACHES 2.5 FEET INTO THE MINIMUM SIDE YARD SETBACK; THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED. THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA

	<p>FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none">• THE COVERED ADDITION AND POOL SCREEN ENCLOSURE COULD HAVE BEEN BUILT TO COMPLY WITH THE CODE; AND• THE VARIANCES REQUESTED WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1A DISTRICT.
STAFF RECOMMENDATION	<p>BASED ON THE SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCES. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING COVERED ADDITION AND POOL SCREEN ENCLOSURE AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET (ROOM 2201)
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BV 2005-006

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE: from 7.5 to 5

- ☒ **VARIANCE** Side yard setback variance for an existing pool screen enclosure
- ☐ **SPECIAL EXCEPTION**
- ☐ **MOBILE HOME SPECIAL EXCEPTION**
- ☐ EXISTING (YEAR _____) ☐ PROPOSED (YEAR _____)
- ☐ REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
- ANTICIPATED TIME MOBILE HOME IS NEEDED _____
- PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____
- MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

RECEIVED
JAN 20 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Gerald F. Snell</u>	
ADDRESS	<u>510 yew Ct</u>	
	<u>Altamonte</u>	
PHONE 1	<u>321-303-3287</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: _____

SITE ADDRESS: 510 yew Ct.

CURRENT USE OF PROPERTY: Residence

LEGAL DESCRIPTION: Lot 128 Trailwood Estates
Sec 1 PB 16 PG 28

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 21-21-29-50N-0000-1280

UTILITIES: ☒ WATER ☐ WELL ☐ SEWER ☐ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NO construction of shed and screen enclosure without permit

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on 3, 28, 05
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Gerald F. Snell
SIGNATURE OF OWNER OR AGENT* DATE 1-20-2005

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

Minimum ^{rear} side yard setback variance from 30' to 26.7'
for an existing porch roofed area

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME

ADDRESS

PHONE 1

PHONE 2

E-MAIL

NATURE OF THE APPEAL

APPELLANT SIGNATURE

FOR OFFICE USE ONLY

PROCESSING:

FEE(S): 200.00

COMMISSION DISTRICT

FLU / ZONING

R-1A / LDR

BCC HEARING DATE

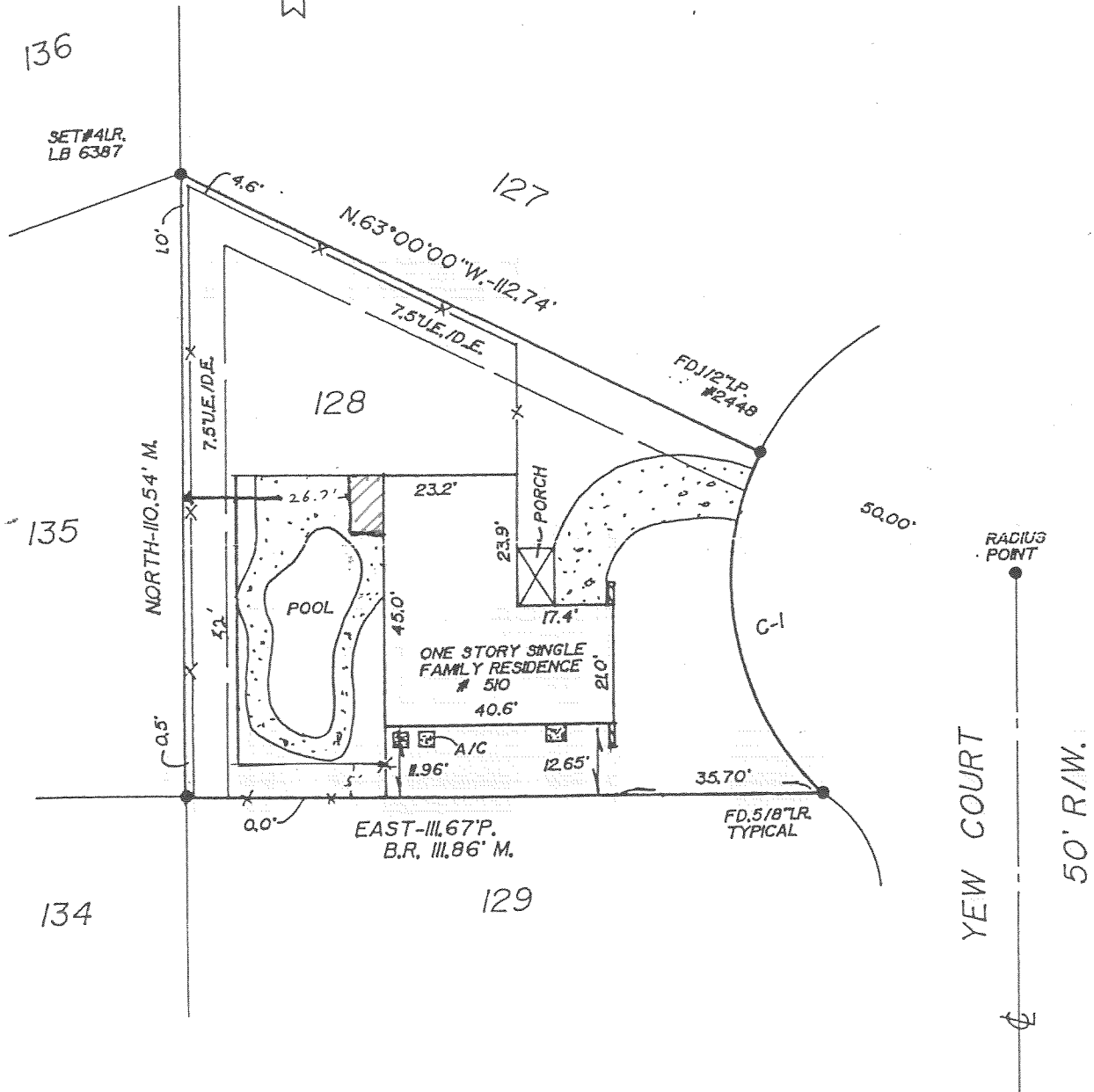
(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS West side of Yew Ct, approx 275 feet
north of intersection of Yew Ct & Balsa Dr

PLANNING ADVISOR

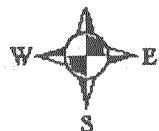
DATE

SUFFICIENCY COMMENTS

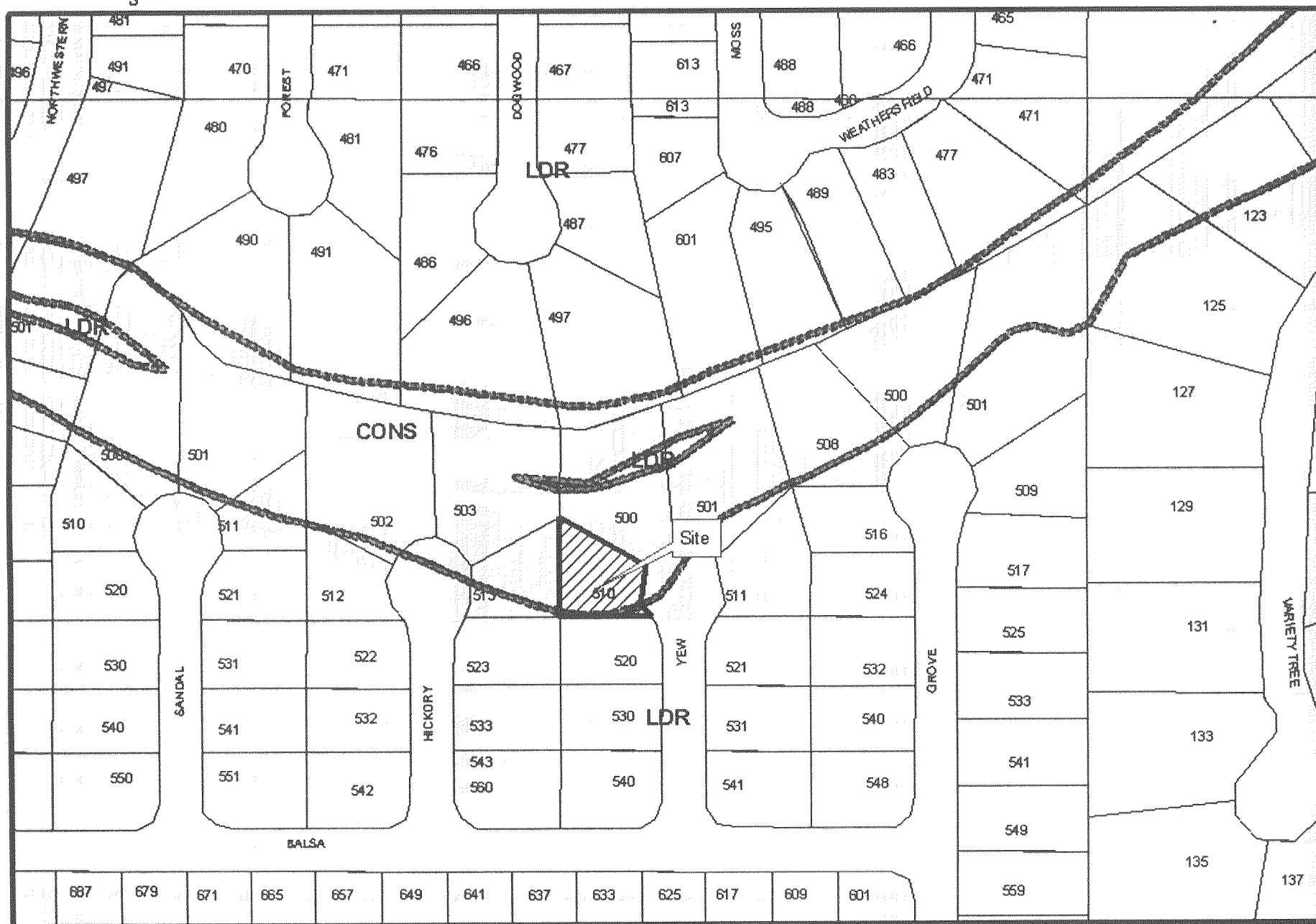


C-1
DELTA = 75° 11' 42"
RADIUS = 50.00'
LENGTH = 65.62'

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY, FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-655-7506																																															
GENERAL Parcel Id: 21-21-29-5CN-0000-1280 Owner: SNELL GERALD F JR & THERESA A Address: 510 YEW CT City, State, Zip Code: ALTAMONTE SPRINGS FL 32714 Property Address: 510 YEW CT ALTAMONTE SPRINGS 32714 Subdivision Name: TRAILWOOD ESTATES SEC 1 Dor: 01-SINGLE FAMILY				2005 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$71,103 Depreciated EXFT Value: \$5,467 Land Value (Market): \$18,500 Land Value Ag: \$0 Just/Market Value: \$95,070 Assessed Value (SOH): \$66,197 Exempt Value: \$25,000 Taxable Value: \$41,197 Tax Estimator																																											
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>12/2001</td> <td>04301</td> <td>0858</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1996</td> <td>03109</td> <td>1051</td> <td>\$78,000</td> <td>Improved</td> </tr> <tr> <td>PROBATE RECORDS</td> <td>06/1996</td> <td>03084</td> <td>1762</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1987</td> <td>01851</td> <td>0136</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1978</td> <td>01196</td> <td>0458</td> <td>\$38,800</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1976</td> <td>01092</td> <td>0808</td> <td>\$24,300</td> <td>Improved</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision				Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	12/2001	04301	0858	\$100	Improved	WARRANTY DEED	07/1996	03109	1051	\$78,000	Improved	PROBATE RECORDS	06/1996	03084	1762	\$100	Improved	WARRANTY DEED	05/1987	01851	0136	\$100	Improved	WARRANTY DEED	11/1978	01196	0458	\$38,800	Improved	WARRANTY DEED	01/1976	01092	0808	\$24,300	Improved	2004 VALUE SUMMARY Tax Value (without SOH): \$1,196 2004 Tax Bill Amount: \$675 Save Our Homes (SOH) Savings: \$521 2004 Taxable Value: \$39,963 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																															



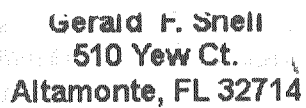
Gerald F. Snell
510 Yew Ct.
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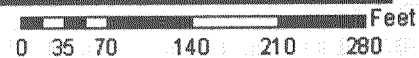
Parcel No: 21-21-29-5CN-0000-1280

BV2005-006

0 35 70 140 210 280 Feet



BV2005-006



NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION: 510 YEW CT

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF Florida Building Code CHAPTER/ARTICLE CH. 1 SECTION 303.5

DESCRIPTION OF VIOLATION: INSTALLING OR CONSTRUCTING A
W/TH POSSIBLE ELECTRIC W/TH AND W/TH
SCREENS ENCLOSURE ALL W/TH/OUT PERMITS

CORRECTIVE ACTION: OBTAIN ALL PROPER PERMITS AND
CHECKS ALL REQUIRED INSPECTIONS

EXTENSION FOR 45 DAYS GRANTED TO
OBTAIN ENG PLANS. Thompson 1/20/05

THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY 7-2-05

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

☐ IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.



For further information contact:

Building and Fire Inspection Division
Seminole County Services Building
1101 East First Street, Room 1020
Sanford, FL 32771
PHONE: (407) 665-7338 OR (407) 665-7423

DATE: 1-19-05 **INSPECTOR:** TAMAR RUCKER 407 665 7912

CASE NO: 6779

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 128 TRAILWOOD ESTATES SEC 1 PB 16 PG 28

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: GERALD & THERESA SNELL
510 YEW COURT
ALTAMONTE SPRINGS, FL 32714

Project Name: YEW COURT (510)

Requested Development Approval:

1. MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 26.7 FEET FOR AN EXISTING COVERED ADDITION; AND
2. MINIMUM SIDE YARD VARIANCE FROM 7.5 FEET TO 5 FEET FOR AN EXISTING POOL SCREEN ENCLOSURE IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The variances granted will apply only to the existing covered addition and pool screen enclosure as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: